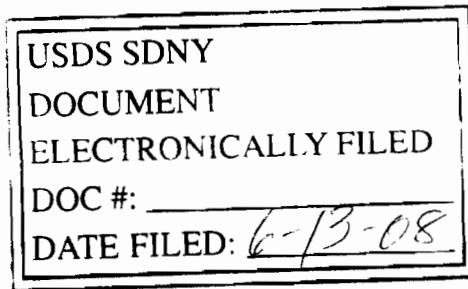


**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**



CENTURY INDEMNITY COMPANY, as  
successor to Insurance Company of North  
America; ACE PROPERTY & CASUALTY  
INSURANCE COMPANY (f/k/a CIGNA  
Property & Casualty Insurance Company), as  
successor-in-interest to Central National  
Insurance Company of Omaha, but only as  
respects policies issued by it through  
Cravens, Dargan & Company, Pacific Coast;  
and PACIFIC EMPLOYERS INSURANCE  
COMPANY,

Plaintiffs,

v.

TRANSATLANTIC REINSURANCE  
COMPANY,

Defendant.

Civil Action No. 07-CV-10712 (VM) (ECF)

**CIVIL CASE MANAGEMENT PLAN  
AND SCHEDULING ORDER**

This Scheduling Order and Case Management Plan is adopted in accordance with Fed. R. Civ. P. 16-26(f).

1. This case is not to be tried to a jury.
2. Initial disclosures pursuant to Fed. R. Civ. P. 26(a)(1) to be completed within fourteen (14) days of the date of the parties' conference pursuant to Rule 26(f), specifically by not later than June 27, 2008.
3. Amended pleadings may be filed without leave of the Court until July 18, 2008.
4. All fact discovery is to be completed within one hundred twenty (120) days of the date of this Order, specifically by not later than October 10, 2008, except that requests for admissions may be made at any time up to 30 days before the close of discovery.
5. The parties are to conduct discovery in accordance with the Federal Rules of Civil Procedure and the Local Rules of the Southern District of New York. The following interim deadlines may be extended by the parties on consent without application to the Court, provided the parties are certain that they can still meet the discovery completion date ordered by the Court.

- a. First requests for production of documents and interrogatories to be served by July 7, 2008.
- b. The parties shall respond to first requests for production of documents and interrogatories by August 7, 2008.
- c. Fact depositions are to be completed by October 10, 2008.
  - i. Unless the parties agree or the Court so orders, depositions are not to be held until all parties have responded to initial requests for document production.
  - ii. Depositions of all parties shall proceed during the same time.
  - iii. Unless the parties agree or the Court so orders, non-party depositions shall follow party depositions when possible.
- 6. Motions to add new parties or add new claims to be filed by October 17, 2008.
- 7. The parties shall designate initial experts and serve reports pursuant to Fed. R. Civ. P. 26(a)(2) by October 24, 2008.
- 8. The parties shall designate rebuttal experts and serve reports pursuant to Fed. R. Civ. P. 26(a)(2) by November 12, 2008.
- 9. All discovery, including expert depositions, shall be concluded by January 16, 2009.
- 10. Following all discovery, all counsel must meet for at least one hour to discuss settlement, such conference to be held by not later than January 30, 2009.
- 11. All dispositive motions, including summary judgment motions, shall be filed by February 20, 2009.
- 12. If neither party files a dispositive motion or a motion for summary judgment by February 20, 2009, either party may request the court to schedule a status conference.
- 13. Do all parties consent to trial by a Magistrate Judge under 28 U.S.C. § 636(c)?  
Yes \_\_\_\_\_ No   x

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**TO BE COMPLETED BY THE COURT:**

14. The next Case Management Conference is scheduled for 10-31-08 at 2:30p.m.

In the event the case is to proceed to trial, a firm trial date and the deadline for submission of the Joint Pretrial Order and related documents shall be scheduled at the pretrial

conference following either the completion of all discovery or the Court's ruling on any dispositive motion.

The Joint Pretrial Order should be prepared in accordance with Judge Marrero's Individual Practices. If this action is to be tried before a jury, proposed voir dire and jury instructions shall be filed with the Joint Pretrial Order. No motion for summary judgment shall be served after the deadline fixed for the Joint Pretrial Order.

**SO ORDERED:**

DATED: 13 June 2008

  
VICTOR MARRERO  
U.S.D.J.